

Rain and warmer today
and tomorrow; fresh east-
erly winds.

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MINERS TO STRIKE FIRST OF APRIL

Work Will Cease in Bituminous Fields in
All States—President Mitchell Stood
Out for Peace.

INDIANAPOLIS, Ind., March 5.—In joint convention, today, the representatives of the United Mine Workers of America voted to reject the compromise concession offered by the operators of the central competitive district. The vote was cast in the face of the opposition of President Mitchell, and the other national officers.

It seems, in substance, unless some occurrence, now wholly unforeseen, shall intervene, that a strike of all the miners in the bituminous coal fields of the country will be called April 1, when the present scale agreement expires.

The joint conference of miners and operators was then called into session again and a vote was taken by districts on the question of accepting the terms offered by the operators. Each district of miners voted "No" and each district of operators "Yes."

Adjourn Means Strike.

F. L. Robbins, of the operators, then moved that the conference adjourn sine die. President Mitchell seconded this motion. To adjourn thus meant a strike.

After a vote was taken, however, officers of the miners and operators conferred informally and the subcommittee of the scale committee was called together for further discussion before taking this decisive step. The meeting of the subcommittee was informal. When its members returned to the hall the vote on the motion to adjourn was taken. It was unanimous for adjournment.

President Mitchell called the miners together for a meeting immediately after the adjournment of the joint conference. The meeting was brief. Committees were chosen to represent the district and out-

line the miners' policy. Arrangement for their meeting at Mitchell's office tonight was made. The miners will go into session again on Monday.

Leaders' Advice Sought.

President Mitchell said tonight that this means a strike and the dissolution of the interstate movement. President Mitchell and other executive and district officers of the mine workers' national convention advised the delegates from Indiana, Ohio, western Pennsylvania, and Illinois to accept the 5.55 per cent reduction proposed by the operators in their ultimatum issued to the scale and subscale committee. All made strong speeches.

The session was heated. There was much opposition from the floor of the convention by delegates who took exception to the statement that the tide of industrial affairs was out, that the coal market was downward, and that it was a bad time to go into a fight. Most of the opposition was from the Indiana and Illinois districts.

The national officers not only took the ground that the times were not favorable for a strike, but also that the miners have gained far more by reason of the joint relations of operators and miners—which would be disrupted probably for all time—than they could gain by strike. They pointed out the fact that with the 5.55 per cent reduction the miners would still have an increase of 7 per cent over the scale of 1902.

The terms of the operators' ultimatum were reported to a joint convention this morning, and the miners' convention was called in the hall at 10 o'clock this afternoon to permit the miners to confer.

Senator Hale Counsels Caution in Far East

"Maintaining the Integrity of China Means
Ultimate War If America Means to En-
force That Proposition," He Says.

The "open door policy" of the Administration in respect to protecting this country's commercial interests in the Orient, became the theme of a noteworthy speech by Mr. Hale in the Senate yesterday afternoon in the course of the naval appropriation bill's consideration. Special attention was paid to the remarks of the Maine Senator. In view of his declaration a few days ago about the undesirability of permanently retaining the Philippines as an American possession.

Mr. Hale's candid expression of his views on international policies and politics attracted immediate attention from his associates and they listened with evident interest. His words had a significance which might be interpreted in more ways than one. Although he spoke in opposition to the proposition of "administrative entity" for China, and thereby placed himself at variance with Secretary Hay's ideas, his entire speech rang with words of caution and counsel to avoid international entanglements, which would, he declared, unavoidably embroil this nation in war in support of the plan proposed. While opposing an Administration policy, therefore, he yet appeared as the champion of a conservative American peace policy.

Came Like Thunderbolt.

The admonition of Mr. Hale to the Administration to abandon the "administrative entity" program, in which it had taken the initiative, came suddenly in consequence of a comment by Mr. Nelson of Minnesota in the course of Mr. Depew's patriotic laudation of the American navy and the American flag. Mr. Nelson thought to interject a timely word of commendation by remarking that Great Britain, Japan, and the United States had a community of interest in preserving the integrity of China, and maintaining the "open door" in the Orient.

This immediately brought Mr. Hale to his feet. As chairman of the Committee on Naval Affairs, having the bill in charge, he took vigorous exception to the intimation, as he considered it, that the interests and sympathies of the United States Government are with Japan, as against Russia.

To Preserve Neutrality.

"The attitude of the United States, as taken by the State Department, is one of complete neutrality between these parties," he declared, "and when it is said that we have today a common interest with Japan and with England with reference to Manchuria, it is a statement that the Government of the United States and its interests and its tendencies are against Russia and in favor of Japan."

"We do not want that statement to go unchallenged. I do not attempt to pierce the future, but if I were called upon to prophesy I should say that in the future, particularly if she emerges triumphant from this war, the country that the United States find her greatest rival in trade, her greatest antagonist in competition, the nation most likely to aggress, to monopolize and control China, is not Russia but Japan."

"Now, I do not want to say, following that, that our interests and our attitude are in favor of Russia and against Japan, but I do not want it said on the other side that our attitude, and our sympathies, and our trade are all with Japan and England, and against all other powers."

"Take the Philippines. If we hold that people as colonies in our power and continue to keep them under the yoke,

the first power that will give us any trouble there will not be Germany, or Russia, or France, or England, but the growing, aggressive, ambitious power of the Orient, the Japanese empire. It is not a feeble people; it is not a small people."

"Whatever we may think, whatever may be our feelings, I am not going to discuss which nation I sympathize with. That is not the question; but again I say, that no declaration, without my protest, shall be made here (while the Senator says it does not involve an alliance) is so strong a statement that it would, in any emergency that might come up, produce an alliance. I do not believe that, Mr. President."

Not a Shifting Position.

Mr. Patterson of Colorado took up the line of Mr. Hale's remarks. "As I understood the attitude of the Senator from Maine," he said, "it is that, being impartial, the United States is in a position to take advantage for the benefit of the United States, whichever side may win. If it is Russia, the United States will be with Russia; if it is Japan, the United States will be with Japan. There will be no antagonism between the United States and either the one nation or the other, and following the commercial spirit the United States will be in a position to secure the greatest possible benefit whichever way the war may end."

Mr. Hale replied that he did not go to that extent. "I suppose if we maintain the neutrality whatever the outcome may be, we shall not have an enemy," he commented, "but I do not feel that we are maintaining that attitude for the sake or any great benefit to the United States."

He said he did not share in the feeling that Oriental trade was such a thing of magnitude. He declared that in the last four or five years we had lost trade relatively.

"When the Boxer rebellion came to the surface," he continued earnestly, "we were beating all the nations of the world in the trade with China. We did not want that open door, we had the preference of the Chinese. We had let her alone. England had bullied her. France had insulted her; Germany had crided her; Russia had despoiled her; and the United States kept him off."

"People have not exactly reflected upon that situation. If we had not been involved in any of those Eastern troubles we would have had no question of the 'open door.' They were with us and we alienated them for the time."

To Keep Hands Off.

"When I favor maintaining neutrality I have not got any view that when this war is over we are going to drive a bargain that will be of any great importance to us with either power that comes out ahead. But we ought to keep our hands off of these Oriental combinations and intrigues and policies. It will be an ill day for the United States when she takes upon herself the proposition that it is her business to maintain the integrity of China, for that ultimately means war, if it is expected to enforce that proposition."

"I am not in favor of any policy that involves us in the least in the immense expenditures, the stupendous losses and the unspeakable wickedness of involving the American people and the United States in a war upon any issue that arises in those seas 7,000 miles away from us. And so I want neutrality and I want nothing said anywhere that will be quoted by either of these powers to inflame the other power."

See the sixth page, First Section.—Adv.

THE "LIVING BAYONETS" OF JAPAN.



MIKADO'S INFANTRY CHARGE AFTER FIRING.

The Japanese infantry is trained to deliver a bayonet attack of incredible swiftness. During a gradual advance in open order, with independent firing from the kneeling position, the men fix bayonets as opportunity offers without waiting for a general command. Suddenly the officers spring to the front, the men rise, form in two lines, and rush forward with extraordinary suddenness—a maneuver most trying to the enemy's nerve.

VIOLATES STATE AND CHURCH LAW

Was Smith's Confession in
Smoot Investigation.

AMENABLE TO UTAH COURTS

Hides Practice of Polygamy Behind
Technicality of Marriage Prior
to Year 1890.

Direct challenge of the right of the United States to interfere in the affairs of Utah and its citizens proved the principal development of the Smoot investigation yesterday.

President Joseph F. Smith, continuing his testimony, admitted vaguely and hesitatingly at first, but finally without reserve—that he is today guilty of violating both State and church law in continuing the practice of polygamy. He insisted, however, that he ought not to be considered in the light of a lawbreaker, because of the following technical distinction:

According to the Mormon view, the only crime is to have taken a plural wife since 1890, and there is no crime in living in polygamous cohabitation with any number of wives married prior to that date.

This testimony of President Smith was elicited through persistent questioning by Senators Bailey, Overman and Teller. When compelled to defend his position, he declared he was amenable only to the State laws, and that Congress had no right to interfere in his private affairs, notwithstanding the events of 1890. Anti-Mormons declare, however, that the State courts are controlled by the church, and so would not convict offenders.

Smith's Plain Words.

The witness expressed his views to the committee in the following words: "I should like to draw the distinction in the Senator's mind that there is a great difference, in our judgment, between the law prohibiting plural marriages and the law prohibiting what is termed unlawful cohabitation in the law—a very great difference. The State of Utah has power to deal with me in my offenses against the law, and the Congress of the United States has no busi-

(Continued on Fifth Page.)

Count Von Waldersee Dies of Peritonitis

Field Marshal of German Army, He Com-
manded the Allies Before Peking—His
Wife an American Woman.

HANOVER, March 5.—Field Marshal Count Von Waldersee died shortly after 8 o'clock tonight, after a final sinking spell, beginning early in the afternoon. Count Von Waldersee had been suffering with inflammation of the intestines.

Field Marshal Count Von Waldersee, next to Prince Bismarck, was one of the greatest products and exponents of modern German military science and strategy. Time and again since the retirement and death of Bismarck he has been mentioned as the most likely successor as chancellor. His work as leader of the allied forces during the Boxer uprising against the foreigners in China won for him an enviable place as a commander of peace, judgment, and strategic ability.

Admired by All.

The count was a man of magnificent appearance, and one who was admired by all. His general air of cold reserve precluded the possibility of warm friendship, but he was worshipped as a hero by the general public, which always greeted his appearance in public with cheers. He was generally accepted as the man who had done as much, if not more, than anyone else to make Prussia great and the empire possible.

The great estrangement of his career occurred when the present Emperor William was a young man. The two had some disagreement, the exact nature of which has never become known. The dislike between the two lasted for a long time, but was finally smoothed over, and in his latter years the count had no better friend nor more ardent admirer than the Kaiser.

Met the Widow.

The wife of the field marshal is an American, who before her first marriage was Mary Esther Lea. She was married in 1864, morganatically, to Prince Frederick of Schleswig-Holstein. At that time she was considered one of the most beautiful women in Europe. Six months after their marriage the prince died, leaving his widow an inheritance said to have been \$4,000,000.

Two years after the prince's death, the

AWFUL TORTURES CHARGED ON TURKS

Inflicted on Prisoners Accused of Political
Offenses—Sufferings Killed
Some of Them.

SOFIA, Bulgaria, March 5.—M. Petroff, president of the council of ministers, has received a number of letters from prisoners confined in Turkish prisons for political offenses, telling of the terrible tortures inflicted on them by order of the Turkish governors, who are determined to keep the leaders of the Macedonian uprisings.

One of the favorite methods of torture is the trussing of the prisoners by their arms, and then placing guards over them with clubs to keep them awake, while those who show signs of exhaustion are beaten again and again until insensibility comes to rob their treatment of its horrors. Many have died under the torture, while others, weaker, have confessed and implicated their neighbors in the revolutionary plans.

The inevitable consequence has been that the jails are crowded far beyond their capacity, and cells designed for but ten prisoners have in many cases ninety occupants.

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Frank Libbey & Co., 6th & N. Y. Ave.—Adv.

RUSSIAN SHIPS IN JAPAN SEA

Report in Tokyo That Vladivostok Fleet,
Thought Icebound in Harbor, Is Cruis-
ing Along the Coast.

FLYING SQUADRON WILL BE
SENT TO MEET THE ENEMY

Should These Hostile Vessels Meet, Naval
Battle of a Desperate Character Will
Be the Result.

TOKYO, March 5.—Much apprehension is felt throughout Japan at the news that the Russian Siberian squadron, which was believed to be icebound in Vladivostok Harbor, is sweeping through the sea of Japan, and may be expected to try to destroy such of the coast cities as are without adequate harbor defenses.

A report which, so far, however, lacks confirmation, states that the Russian squadron was sighted off Wansoo, in Northeastern Korea, last Thursday, and that the four vessels sailed in a northeasterly direction.

AFTER JAP TRANSPORTS.

It is believed that they were endeavoring to capture the four Japanese transports that are reported to have been landing troops on the easterly coast of Korea, but that they were frightened away by the presence of a Japanese squadron.

There is a possibility that the Russian commander will try to locate the Japanese secondary defense fleet, composed of the smaller cruisers and a number of gunboats which are believed to be in or near Possiet Bay. The Russian squadron is strong enough to sink this latter fleet, it being deficient in heavy metal, while the big Russian armored cruisers are among the best in the Czar's navy.

OFFICIALS SECRETIVE.

At the navy department all information regarding the movement of vessels is still kept a profound secret, and it is impossible to obtain confirmation of the many rumors freely circulated. One very circumstantial report is that hurry orders have been sent to Sasebo, and that a flying squadron, made up of first-class cruisers, among them the Nisshin and the Kasaga, purchased in Italy from the Argentine government, is to sail in search of the Russian Siberian squadron, with orders to sink it.

If this report is true, a naval battle of the most desperate character since the iron-clad came into being, and beside which the battle of the Yalu will have been only a skirmish, is imminent.

Russia Would Renew Alliance With Germany

PARIS, March 5.—The "Matin's" St. Petersburg correspondent telegraphs that it is stated that Russia is actively negotiating with Germany with the view of inducing Germany to agree to a return to the diplomatic grouping of Europe that was effected when the treaty of Shimonoeki was signed—that is, a definite understanding on the part of the continental powers of Europe to counterbalance a union of Japanese and Anglo-Saxons.

The treaty of Shimonoeki was the treaty of peace between Japan and

MARINES' ERRAND TO ESCORT AMERICAN MINERS FROM KOREA

Official advice that American marines threatened the employees there, and it was then considered advisable to have the Americans leave the vicinity. Recent dispatches also reported that the ice in the Yalu was breaking up and the Yalu would soon be navigable.

The conclusion of naval officers is that the marines may have been sent up the Yalu to escort and bring the Americans to Chemulpo.

THINK THE JAPANESE WILL BLOW UP PORT ARTHUR

PARIS, March 5.—Telegraphing from Harbin, a correspondent of the "Matin" says the people there believe that Port Arthur was mined a long time ago by the Japanese, who are now trying to send there a few men who know the place well to blow it up.

The Russian cruisers Bayan and Diana received only slight injuries during the recent engagements with the Japanese. The central telegraph office at Harbin, the correspondent continues, will henceforth be closed to the public.

The concentration of Chinese forces west of Mukden arouses suspicion. In spite of the repeated declaration of China's neutrality, Cossacks are advancing in Korea, where they attitude of the natives toward them is very variable.

Vice Admiral Marakoff has arrived at Port Arthur, where he was given a great reception. Quoting from a correspondent, who wrote him from Port Arthur under date of February 17, the Harbin correspondent of the "Matin" goes on to say that General Suessel, the commander at Port Arthur, had issued a general order blaming officers who wasted their precious time in useless criticism of their superiors, and threatening those who did so with severe punishment.

A letter from Dalny, dated February 18, brings the statement that the population there had been reduced from 1,500 to 1,000. Seven hundred men were sick

in hospital, and would shortly be moved to the north. All the bays in the vicinity of Dalny were still icebound.

LONDON, March 5.—In a dispatch from Tokyo the correspondent of the "Times" says:

"Russians were recently conveyed to Possiet Bay from Vladivostok, and crossed the Tumen River southward of Uss-Kwin and Hol-Yong. The Russian troops who have hitherto been south of Anju have all retired toward the Yalu River. The martial law regulations published in Vladivostok February 9 betrays great solicitude with regard to provisions."

BERLIN, March 5.—Princess Alice of Bourbon, the divorced wife of Prince Frederic of Schoenburg-Waldenburg, has joined the Russian Red Cross and started for the camps in the Far East.

ST. PETERSBURG, March 5.—A report that the Egyptian government has decided to close the Suez Canal to the belligerents is laughed at in official circles. The international regulations are cast-iron and cannot be changed by Egypt.

The Jewish farming colony in Kherson province has voted to give \$5,000 for war purposes.

See the sixth page, First Section.—Adv.